

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10630 of 2018

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Pramod Kumar Prasad, s/o Rameshwar Prasad, resident of Village- Kasdewara, P.S. Maharajganj, District- Siwan.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Food & Civil Supply Department, Old Secretariat, Patna.
2. The Secretary, Food & Civil Supply Department, Old Secretariat, Patna.
3. The District Magistrate-cum- Collector, Siwan.
4. The Superintendent of Police, Siwan.
5. The Sub Divisional Officer, Siwan.
6. The Block Supply Officer, Siwan, Siwan.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. D.N.Tiwary, Adv.

For the Respondent/s : Mr. Maruth Nath Roy, AC to SC-4

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 28-05-2018

Heard learned counsel for the parties.

The petitioner is aggrieved by the order dated 17.4.2018 passed by the Collector cum District Magistrate, Siwan in Confiscation Case No. 140/ 2016-17, whereby in exercise of powers vested under section 6A of the Essential Commodities Act, 1955 (hereinafter referred to as 'the Act'), the vehicle of the petitioner has been confiscated.

Though Mr. D.N.Tiwary, learned counsel for the petitioner, alleges violation of the statutory procedure as well as jurisdiction but considering the powers vested in the Collector under section 6A of 'the Act' and bearing note of the statutory remedy of appeal available



to the petitioner under section 6C thereof, the petitioner is given liberty of exhausting the statutory appellate remedy so available and while doing so raise all issues as raised herein.

Should the petitioner file any application for interim relief, the Appellate Court would pass appropriate order thereon.

No cause for indulgence is made out at the present stage.

The writ petition is disposed of.

(Jyoti Saran, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.05.2018
Transmission Date	NA

